

REMARKS

The foregoing amendments and following remarks are deemed fully responsive to the pending final office action of December 13, 2005. Claims 14 and 15 are amended to include the limitation of determining whether the memory access requests are speculative based upon an identifier within each memory access request, such as shown in FIG. 2 of the drawings and described in paragraph [0030] of the '971 Application. No new matter is added. Claims 1-20 are pending, of which claims 1, 14 and 16 are independent.

Claim Rejections – 35 U.S.C. § 102

Claims 14 and 15 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,654,860 issued to Strongin et al. (hereinafter "Strongin"). Respectfully, Applicant disagrees.

To anticipate a claim, Strongin must teach every element of the claim and "the identical invention must be shown in as complete detail as contained in the ... claim." *MPEP 2131* citing *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 2 USPQ2d 1051 (Fed. Cir. 1987) and *Richardson v. Suzuki Motor Co.*, 868 F2.d 1226, 9 USPQ2d 1913 (Fed. Cir. 1989). Strongin does not teach every element of claims 14 and 15.

Amended claim 14 recites CPU architecture that initiates both speculative and non-speculative memory access requests within a CPU, an improvement including decode logic for determining whether the memory access requests are speculative, based upon an identifier within each of the memory access requests, and assessment logic for determining one or both of interconnect and target resource conditions, the CPU architecture processing speculative memory access requests, or not, as a function of the conditions. Strongin, as admitted by the Examiner in paragraph 4 of the pending office action, does not disclose determining whether the memory access requests are speculative, based upon an identifier within each of the memory access requests, and cannot, therefore, anticipate claim 14 for at least this reason.

Reconsideration of claim 14 is respectfully requested.

Amended claim 15 depends from claim 14 and benefits from like argument. Claim 15 recites a prefetch unit for prefetching speculative memory access requests, wherein the decode logic detects whether prefetched memory access requests are speculative based upon the first identifier. As argued above, Strongin does not disclose or suggest detecting whether prefetched memory access requests are speculative based upon the identifier within each of the memory access requests. For at least these reasons, Strongin cannot anticipate claim 15.

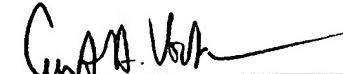
Reconsideration of claim 15 is respectfully requested.

Applicants appreciate Examiner's indication of allowable subject matter in claims 1-13 and 16-20 and further contend that claims 14 and 15 are not anticipated by Strongin. Reconsideration and allowance of claims 14 and 15 are requested.

Applicants believe no fees are due in connection with this Amendment and Response; however, if any fee is deemed necessary, the Commissioner is authorized to charge such fee to Deposit Account No. 08-2025.

Respectfully submitted,

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